

tion 6, of Chapter 37, of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169, of the General Laws of the Regular Session of the State of Texas,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, February 25, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorneys of said district, and fixing their compensation; repealing all laws or parts of laws in conflict herewith and providing when said act shall be effective,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

## TWENTY-NINTH DAY.

(Continued.)

(Saturday, February 26, 1927.)

The House met at 10 o'clock a. m. and was called to order by Speaker Bobbitt.

### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Hagaman:

H. B. No. 613, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas, pertaining to the encumbrance of lighting and water systems and income thereof by cities and towns to secure payment of funds for the purchase or improvement thereof, including therein the power to encumber sewer systems and the income thereof for said purposes, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Ramsey:

H. B. No. 614, A bill to be entitled "An Act to create a special and more

efficient road system for Jasper county, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts upon the public roads, bridges and streets; providing for the amount of credit he shall receive for such work and providing for commutation of sentence of faithful service and providing for the hiring of county convicts to individuals of the county for either public or private employment; defining the powers and duties of road overseers and placing them directly under the jurisdiction and control of said road commissioners; providing a penalty for the obstruction of driveways or ditches on public roads; providing that said county may assist in financing for improvement and maintenance of streets in cities and incorporated towns in the county and making this act cumulative of the general laws now in force, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Brown:

H. B. No. 615, A bill to be entitled "An Act amending Article 2839, Revised Statutes of 1925, Section 1, Chapter 176, Acts of the Thirty-ninth Legislature, providing for permanent text book commission for the State of Texas; providing for membership of said board and for their method of appointment; providing for prescribed qualifications of its members; providing for their term of office; providing for the amendment of Article 2840, Section 2, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the filing of affidavits of qualification for said members; providing for the amendment of Article 2842, Revised Statutes of 1925, Section 4, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the continuing and discontinuing of text books; providing for the amendment of Article 2846, Revised Statutes of 1925, Section 8, Chapter 176, Acts of the Thirty-ninth Legislature; providing for notices of meetings of said board to be given; providing for the deposit of samples of each book on which bids may be submitted; providing for bids and cash deposits for all publishers making such bids; providing for amendment of Article 2847, Revised Statutes of 1925, Section 9, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the filing of bids therefor f. o. b. at Texas bidders'

depository; providing for the filing of affidavits by each bidder; providing for amendment of Article 2849, Section 11, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the submitting of bids in two forms with or without exchange privileges; providing for the amendment of Article 2852, Revised Statutes of 1925, Section 14, Chapter 176, Acts of the Thirty-ninth Legislature, providing for books to be bought at reduced prices; providing for the exclusive use of State adopted text books in the public free schools of the State of Texas for a period not to exceed six years; providing for the amendment of Article 2871, Revised Statutes of 1925, Section 35, Chapter 176, Acts of the Thirty-ninth Legislature, providing for depositories in the State of Texas."

Referred to Committee on Education.

#### EXPRESSING APPRECIATION FOR DALLAS NEWS EDITORIAL.

Mr. DeBerry offered the following resolution:

Whereas, There was published in the Sunday Dallas Morning News of February 20, 1927, an editorial entitled the "Responsible Work of the Law Maker," which editorial is a sane, sensible and correct interpretation of the importance, significance and responsibility of law-makers and also an able discussion of the origination, necessity and importance of law; and

Whereas, The knowledge and acceptance of the sacredness and importance of man-made law is the foundation stone of liberty and of free government and that the knowledge and acceptance of this truth is the highest duty of the true citizen; and

Whereas, The responsibility of the legislator to his God, to his people, and to his government should be absolutely realized and kept sacred above all other things; and

Whereas, Such an editorial in the public press is of great value to citizens and legislators alike; now, therefore, be it

Resolved by the House of Representatives of the Fortieth Legislature, That it express its appreciation of such an editorial and as a token of respect to its merit that the said editorial be printed in the Journal and a copy of this resolution be sent to DeWitt McMurray, author of said editorial.

The resolution was read second time.

On motion of Mr. DeBerry, the resolution was adopted.

(Written exclusively for the News by a member of its staff.)

"Of law there can be no less acknowledged than that her seat is the bosom of God, her voice the harmony of the world."—Richard Hooker.

When Solon, the great Athenian law-giver, was asked if he had given his people the best laws, he replied, "The best they are able to bear."

It hardly can be successfully contended that there is a man who is more useful to his State and Nation than the patriotic lawmaker. The next most useful citizen is the officer who is charged with the enforcement of the law, and very little distant behind him is the good citizen who consistently obeys the laws of the land.

A little meditation on this subject will likely convince the thoughtful of the correctness of this statement. He who would be of more service to his fellow-citizens than the lawmaker must be one who combines some other constructive occupation with that of the legislator.

At once it must be conceded that law is the most important essential in government. This is true because without law there can be no government, and without government anarchy and chaos must reign. Thus it is seen that the legislator's usefulness is commensurate with the beneficence of the laws he is instrumental in causing to be enacted, and not in their number.

Indeed, often it is that a very valuable piece of legislation consists in a law repealing other laws. When a law is useless, it is not harmless, but hurtful. And a law that is not enforced is useless.

A law that is ignored is a standing inducement to those so disposed to violate other laws. The repeal of such a law removes the encouragement to ignore the law.

In its last analysis, he who violates the law is attacking the government under which he lives, whether he realizes it or not. Its effect can not be otherwise, since the government is established, supported and maintained by law. If the foundation of a structure be removed it must fall.

To the extent that a nation allows its laws to be trodden under foot; that is, to the extent that it allows crime to go unpunished, it is allowing its foundation to be knocked from under it.

It has been said that "Necessity knows no law." Of course, this means that men under great pressure of necessity disregard law. It is necessity that creates

law. This is why it is that there is nothing in a just law that is not reasonable. To the extent that a law is without reason it is without necessity, and if without necessity it should be removed from the statute books.

Time and conditions necessitates change of law, but not change of principles.

The laws of the land should be held sacred, not only because they are based on the laws of God, but because they are for the preservation of the liberties of the people, their protection, their comfort and happiness. He who violates them is not only violating the people's will, but is doing more to destroy their happiness than is he who is guilty of petty theft.

Here is where the legislator and the peace officer have opportunity for signal service.

The need and simplicity of the law, the certainty of its enforcement and the swiftness of punishment for its violation constitute a triumvirate of bulwarks in any government.

#### What Human Law Is.

Human law is intelligence, gained by experience and applied to conduct.

And yet all this experience and intelligence are incorporated in the Divine Law given to men in the beginning, both in conscience and in the law inscribed by the finger of Jehovah on the tablets of stone amid the smoke and thunder of Sinai. Every human law is based on the Divine, and men are just as much disposed to violate their own laws as they are those eternal laws of God.

Every lawmaker should judge every piece of proposed legislation in the light of the Law of God. If it is contrary to such law it can not be for the good of the people.

The laws written on God's statute book are ineradicable and ineffaceable. They are perfect. They are as permanent as eternity. They can neither be repealed nor amended.

This law was written in the hearts, minds and consciences of men from the beginning, and is understood by all. When it is violated it is done consciously, therefore premeditatedly.

It is contrary to law for one not to suffer for his misdeeds, whether they be violations of the law of God or the law of man.

Prevention is much better than cure, as every one knows. Prophylactics are better than therapeutics, both in medicine and in law. Laws having for their

objects constructive effort, establishment of institutions for the impartation of useful information and State aids to real help for the people constitute prophylactic legislation. The stream is much easier and more thoroughly purified at its source than at its mouth.

Teaching children the duties, laws and customs of life at home by parents is far more effective than leaving it for the public schools.

Home is better than prison. Schools are much more effective than detention institutions. Better freedom and churches than penitentiaries and prison chapels.

Natural laws are emanations from the mind of the Infinite, and are for the government of material things. They are obedient to it, and harmony prevails. Spiritual law is from the same source, and is for the government of man. He is not obedient to it, and harmony does not prevail.

Material things being insensate, inert, are made to obey. Man, being intelligent and endowed with reason, has the privilege of choice as to whether he shall obey or not. Often he does not, then suffers for his rebellious acts.

#### Laws An Imperative Necessity.

Just so surely as creation would collapse without law, government also must fail in proportion as the laws uphold it are violated or ignored.

Also it is endangered to greater or less degree by the enactment of unwise or unnecessary laws. Such laws constitute a menace.

They are like derelicts on the sea—hinder and jeopardize craft that are engaged in legitimate commerce.

The trouble with man is that he doesn't seem to realize that the laws made for his guidance are just as unvarying and permanent in principle as are the laws of nature. The difference is that man undertakes to set aside, by ignoring them, laws that must govern him, with the result that he well knows—disaster.

Man never thinks of ignoring natural law, because he knows that he must suffer physically if he does, but doesn't seem to understand that he can't sidestep Divine and human law without the same result, with the added penalty that others must suffer with him for the violation of law with which they had nothing to do. Violations of spiritual law are as inevitable as are those for violating natural law.

He who violates or ignores God's law



defies God, just as he who violates or ignores the law of the land defies the government and the people.

Trustees of the People's Welfare.

It is hoped that what is said here will serve to impress upon all legislators who read it the very great responsibility resting upon them.

Every passing day should serve to magnify the lawmaker's work in his own mind and emphasize the responsibility of trust which has been reposed in him.

He should undertake the enactment of no law contrary to the will of his people.

The people naturally want equity, justice, honesty and right to prevail in all law, for to the extent that this is done are their best interests served.

Certain persons, organizations, institutions and interests have representatives to plead their cause with every lawmaking body, but the lawmaker himself is the people's representative. "The folks back home" are depending on him into whose hands they have committed their public affairs, which means the private affairs of all the people, for all public law affects private interests.

Not every so-called lobbyist is present on legislative bodies for an evil purpose. Sometimes they are present, not to secure the enactment of legislation giving those they represent an undue advantage or privilege, but to prevent if possible the proposed passage of legislation that would not only be unjust but destructive of the existence of the business, organization or institution with which they are connected, however legitimate and necessary that concern may be.

The dishonest legislator is in position to do much more damage than is the dishonest lobbyist.

It is not a difficult matter to exploit institutions and enterprises by proposing certain legislation if the lawmaker can repress his conscience to the extent of doing so. Such action is as wicked as is that of him who is influenced to advocate measures inimical to the best interests of the people. Such a wrong on the part of a trusted servant of the people is like Jeremiah says the sin of Judah was—"The sin of Judah is written with a pen of iron, and with the point of a diamond."

Whenever the violator of law decides to become a good citizen, to abide by the law and uphold the government in its protection of the people against outlawry and crime, he receives the protection of the law he has been violating.

Law is not for the punishment of

criminals, but for the protection of the law-abiding.

Stand by the law and the law will stand by you.

#### PROVIDING FOR COMMITTEE TO INSPECT ELEEMOSYNARY INSTITUTIONS.

Mr. Woodruff offered the following resolution:

Whereas, The Committee on Eleemosynary and Reformatory Institutions has had under consideration the welfare of the inmates of the various eleemosynary and reformatory institutions of this State; and

Whereas, This committee asked for and was given the authority to send a member to inspect the Juvenile Training Schools at Gatesville and Gainesville; and

Whereas, The brief inspection made by the chairman of the committee, who visited those institutions pursuant to the resolution with reference thereto, revealed sufficient information to justify this committee in offering this resolution in the House, to the end that the general conditions in all of the State eleemosynary and reformatory institutions of this State may be inspected for the information of the committee and of the House; therefore, be it

Resolved by the House of Representatives, That the Speaker of the House be, and he hereby is authorized to appoint a sub-committee of three members of the Committee on Eleemosynary and Reformatory Institutions, which sub-committee shall be empowered to visit and inspect all of the eleemosynary and reformatory institutions of this State.

2. That said sub-committee be instructed to make its visits of inspection during the interval between the adjournment of the regular session of the Fortieth Legislature and the convening of the first called session thereof, if possible for it to do so; and

3. That each of the three members of said sub-committee be paid five dollars per day and actual living and transportation costs of such tour of inspection, and that said expenses be paid out of the contingent expense fund of the House.

The resolution was read second time and was adopted.

#### RELATING TO ACCEPTANCE OF PURNELL ACT.

Mr. Barron offered the following resolution:

H. C. R. No. 28, Assent of the State of Texas to the Purnell Act.

Whereas, The Sixty-eighth Congress of the United States, by an act approved February 24, 1925, known as the Purnell Act, and entitled "An Act to authorize the more complete endowment of agricultural experiment stations, and for other purposes," and by acts supplementary thereto, has provided appropriations for the agricultural experiment stations of the several states and territories, to be paid in equal quarterly installments, on the first day of January, April, July and October of each year, by the Secretary of the Treasury, upon warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of such agricultural experiment stations to receive the same; and

Whereas, Section 2 of the said Act of Congress provides that the grants of money authorized by the act are made subject to the legislative assent of the States to the purpose of said act; and

Whereas, The Governor of Texas has heretofore, on behalf of the State of Texas, assented to the provisions of said Purnell Act; now, therefore, be it

Resolved, by the House of Representatives of the Fortieth Legislature of Texas, the Senate concurring, That the State of Texas does hereby assent to the purposes and provisions of the said Act of Congress, and hereby accepts the appropriations authorized therein, for the use and benefit of the Texas Agricultural Experiment Station of the Agricultural and Mechanical College of Texas at College Station, Brazos county, Texas; the said funds to be used in accordance with the provisions of the said Act of Congress.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 522 ON SECOND READING.

On motion of Mr. Acker, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 522, A bill to be entitled "An Act repealing the Special Act of the Thirty-eighth Legislature of the State of Texas, known as Chapter 7, House bill No. 105, creating and incorporating Webster Independent School District in Harris county, Texas, out of the territory composing Common School Districts Nos. 19 and 13 of said county; providing that the title of the

school property vested in said Common School Districts Nos. 19 and 13 shall vest in said Webster Independent School District and that said independent school district assume debts of said Common School Districts Nos. 19 and 13; providing for the board of trustees of said Webster Independent School District; providing for the time and manner of their election; defining their power and duties, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 386 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 386, A bill to be entitled "An Act to amend Article 3888 of the Revised Civil Statutes for 1925, so as to make provision for the funds out of which the salary of county judges acting as ex-officio superintendent would be paid, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 85 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 85, A bill to be entitled "An Act regulating primary elections and nominations of political parties in this State, and declaring an emergency."

The bill was read second time.

Mr. Durham offered the following (committee) amendment to the bill:

Amend House bill No. 85, Section 1, by striking out everything after the word "affiliation" in line 5 of said section, i. e., strike out the word "he," in line 5 and all other succeeding lines of said section down to Section 2.

(Mr. Wallace of Freestone in the chair.)

On motion of Mr. Foster, further consideration of the bill was postponed until 2 o'clock p. m. next Tuesday.

#### HOUSE BILL NO. 446 ON SECOND READING.

On motion of Mr. Wells, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 446, A bill to be entitled "An Act to amend Section 6, of the

Chapter 183, of the General Laws of the Thirty-ninth Legislature, Regular Session, and creating the sand, gravel and shell fund, and appropriating the same; providing for refund of taxes paid on marl, gravel, shell or mudshell, by any county, city or town or State Highway Commission, and providing for the enforcement of the provisions of the sand, shell and gravel law; for the killing of pelicans, porpoise and the destruction of pelican eggs, and authorizing the payment of compensation therefor, and repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Wells offered the following (committee) amendment to the bill:

Amend House bill No. 446 by striking out the words "not less than fifty per cent," and insert in lieu thereof "not more than thirty-three and one-third per cent."

The amendment was adopted.

House bill No. 446 was then passed to engrossment.

(Speaker in the chair.)

#### HOUSE BILL NO. 356 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 356, A bill to be entitled "An Act to amend Article 1738, Chapter 3, Title 37, of the Revised Statutes of 1925 of the State of Texas."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 228 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 228, A bill to be entitled "An Act to amend Article 5125 of the Revised Civil Statutes of Texas for 1925, so that all male persons, regardless of color, under the age of seventeen (17) years who shall be lawfully committed to the State Juvenile Training School as a delinquent child shall be received as inmates of said training school, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 227 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 227, A bill to be entitled "An Act to repeal all of Article 5131 of the Revised Civil Statutes of Texas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 497 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 497, A bill to be entitled "An Act directing the State Board of Education to make an apportionment of funds according to scholastic census of certain school districts, providing the method of taking the census, making an appropriation therefor, and declaring an emergency."

The Bill was read second time.

Mr. Wallace of Freestone offered the following amendment to the bill:

Amend House bill No. 497, printed bill, by striking out the words "is an independent," in line 15, Section 1, and add the following in lieu thereof: "a."

The amendment was adopted.

Mr. Hall offered the following (committee) amendment to the bill:

Amend House bill No. 497 by adding to Section 4 the following: "Provided that the sum herein appropriated shall be used exclusively to lengthen the school term, and shall not be applied to increase salaries of teachers employed prior to January 1, 1927."

The amendment was adopted.

Mr. Brown offered the following amendment to the bill:

Amend House bill No. 497, Section 1, by adding the following: "Provided that the one hundred per cent or more increase herein provided for shall mean that such increase shall be over the next preceding year."

The amendment was adopted.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 497 by adding at end of line 32, page 1, the word "scholastic."

The amendment was adopted.

Mr. Stout offered the following amendment to the bill:

Amend House bill No. 497 by striking out Section 5 as it now stands and adding the following: "Provided, however, no funds shall be expended under the terms of this act unless the same be borne by the county."

Question—Shall the amendment be adopted?

On motion of Mr. Young, further con-



sideration of the bill was postponed until 2 o'clock p. m. next Tuesday.

#### HOUSE BILL NO. 280 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 280, A bill to be entitled "An Act to provide authority to the State Highway Commission to select and maintain detour roads through counties where construction of designated parts of the State highway system is being carried on, and setting forth the duties of the commission and of the counties therewith; and providing authority to county commissioners courts to select and maintain temporary detour roads in the counties where construction of any public road is being carried on, not part of the State system of designated highways, and setting forth the duties of the commissioners court therewith."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 158 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act to authorize and empower county commissioners courts to control and regulate the use of county roads and highways, other than parts of the system of designated highways, and to protect such roads from damage by regulating the classes of vehicles and the loads carried thereon permitted to use such county roads; providing such act shall not repeal any law but shall be cumulative of all similar statutes, and providing a penalty for the violation thereof."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 5, Title 85, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, by adding a new article thereto, following Article 5400, to be known as Article 5400a, authorizing the locator or owner of a mine or mining claim to con-

nect the same by an aerial tramway with the nearest smelter or nearest line of railroad, and to purchase or condemn a right of way therefor upon certain conditions, and declaring an emergency."

The bill was read second time.

Mr. Pool offered the following amendments to the bill:

#### (1)

Amend House bill No. 12 by striking out all below the enacting clause and insert the following:

Section 1. Every person, firm, corporation, limited partnership, joint stock association or other association of any kind whatsoever, owning, constructing, operating or managing any aerial or other kind of tramway within this State between a mine, smelter or railway or either, may hold and acquire by purchase or condemnation rights-of-way, but in the exercise of such right shall be deemed to be a common carrier, and shall be subject to the jurisdiction and control of the Railroad Commission, and shall have the right and power of eminent domain in the exercise of which he, it or they may enter upon and condemn land, rights-of-way, easement and property of any person or corporation necessary for the construction, maintenance or operation of his, its, or their aerial or other kind of tramway; such right of eminent domain for acquiring rights-of-way provided for herein, shall be exercised in the manner prescribed by law for condemning of land and acquiring of rights-of-way by railroad companies.

Sec. 2. The crowded condition of the calendar and the approach of the end of the session creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days in each house, be suspended and same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

#### (2)

Amend House bill No. 12 by striking out all above the enacting clause and insert the following:

H. B. No. 12, A bill to be entitled "An Act to authorize every person, firm, corporation, limited partnership, joint stock association or other association operating or constructing aerial or other kind of tramways between mines and railways and smelters to acquire rights-of-way by condemnation, declaring same to be common carriers, placing them under the jurisdiction of the Railroad Commission, and declaring an emergency."

The amendments were severally adopted.

House bill No. 12 was then passed to engrossment.

#### HOUSE BILL NO. 326 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 326, A bill to be entitled "An Act for the better enforcement of laws relating to registration of motor vehicles and motorcycles, for the control of vehicles operated on State highways and the protection of the public safety; for the better supervision of a State patrol system, such patrolmen to wear a badge and uniform, and describing such badge and uniform; providing that no arrest shall be made by such patrolman or other officer by lying in wait for the purpose of trapping drivers of vehicles on the highways suspected of violation of speed restrictions; providing venue of all prosecutions of violations hereunder; providing that no fees shall be paid any officer making an arrest in violation of the provisions of the law, and declaring an emergency."

The bill was read second time.

Mr. Williamson offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 326 by adding the words "actual operating expenses and hotel bills when away from home" between the words "equipment" and "uniforms" wherever these words occur in Section 2.

(2)

Amend lines 16 and 17, page 2, by changing "the prosecution shall be dismissed in any case where an arrest is made in violation of this act," to read as follows:

"It shall be the duty of the district or county attorney, as the case may be, to dismiss any and all prosecutions wherein it is shown that the arrest was made by designedly remaining in hiding or lying in wait unobserved in order to trap those suspected of violating the speed law, and this provision shall apply to such conduct by any highway officer, sheriff, deputy sheriff, constable, marshal, policeman or any other officer of this State, or political subdivision thereof."

The amendments were severally adopted.

Mr. Williamson offered the following amendment to the bill:

Add in line 4, Section 1, following the word "licensing" "head light regulation."

The amendment was adopted.

Mr. Williamson offered the following amendments to the bill:

Amend bill by adding Section 5a after Section 5.

"Sec. 5a. The Highway Commission is hereby authorized and it shall be its duty to designate the specific areas which shall be allotted to individual officers, but an arrest made by any State patrol officer shall be valid, whether made within the area allotted to him by the Highway Commission, or not."

Amend caption by inserting the following provision after the word "uniform" in line 14:

"The State Highway Commission shall, in its discretion, provide the areas in which such officers shall operate, but an arrest made in any part of this State by any such officer shall be valid, whether made in the area to which he has been assigned by the commission, or not."

Amend caption by inserting the following provisions after the word "law" in line 20:

"And providing for the dismissal of prosecutions in any case wherein it may be shown that the arrest was made by designedly remaining in hiding, or lying in wait unobserved, in order to trap those suspected of violating the speed laws, and making other provisions incidental to the main purpose of this act."

The amendments were severally adopted.

On motion of Mr. Williamson, further consideration of the bill was postponed until 3 o'clock p. m. next Tuesday.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 30.

In compliance with the request of the Senate for a conference committee on Senate bill No. 30, the Speaker announced the appointment of the following committee:

Messrs. Brown, Fly, Shaver, Snelgrove and Holder.

#### INVITING LEGISLATURE TO VISIT FORT WORTH AND DALLAS.

Mr. Lipscomb offered the following resolution:

Whereas, The Governor of the State of Texas, the Legislature and other State officials have not visited officially the cities of Fort Worth and Dallas for the past 17 years; and

Whereas, The development and progress of these two cities since said time



has been tremendous until at the present time they are the center of population of the State of Texas; and

Whereas, The population of these two cities has increased more than two hundred per cent until they have become the outstanding industrial, manufacturing and wholesale distributing points of North Texas; and

Whereas, We desire that the Governor, the members of the Legislature and other State officials become familiar with the needs, conditions and development of these two cities; and

Whereas, On the fifth of March of this year the gates of the annual Southwestern Exposition and Fat Stock Show of Texas, to be held in Fort Worth, will be opened to the public; and

Whereas, It is the desire and custom that the Governor of Texas shall formally open this great Exposition and Fat Stock Show; and

Whereas, Said Exposition and Fat Stock Show has become nationally famous on account of the exhibitions of the live stock industry of the State of Texas; and

Whereas, There will be assembled at this Exposition and Stock Show as great a collection of fine stock of every kind and character as may be seen at any place in the United States; and

Whereas, The rodeo feature of the show of this year promises to be the greatest in the history of the Southwestern Exposition; and

Whereas, The greatest trick riders, broncho busters, ropers and bull doggers ever assembled will be in Fort Worth at the opening of this show to entertain the Governor, members of the Legislature and other State officials; and

Whereas, On the night of the fifth of March there will be a great spectacular pageant and show consisting of the crowning of the queen for the occasion; and

Whereas, The Chambers of Commerce of Dallas and Fort Worth realize that the Governor, members of the Legislature and other State officials are among the most progressive citizens of Texas, and have a great vision for the welfare and progress of the State of Texas; and

Whereas, It is contemplated that an attendance upon this Exposition and Fat Stock Show and a view of the progress and development of these two great cities will give to our visitors a better understanding of the progress, needs and development of the State of Texas;

Therefore, We, the Chambers of Commerce of these two cities, hereby extend

to the Governor, the Lieutenant Governor, the members of the Senate, the Speaker of the House, the members of the House of Representatives and other State officials our most hearty invitation and request to be our guests at the opening of this show and exposition.

There will be furnished a special train and plenty of entertainment without cost to our guests. We shall consider it a favor, a pleasure and an honor to have you accept our invitation.

Dallas Chamber of Commerce,

Fort Worth Chamber of Commerce.

Signed—Lipscomb, Kemble, Duvall, Harding, Beck, Rawlins, Purl, Jacks, Davis, Holder, McCombs.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The roll was called and developed the fact that there was not a quorum present.

Mr. Williamson moved a call of the House for the purpose securing and maintaining a quorum pending consideration of the resolution by Mr. Lipscomb and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. DeBerry moved that the Sergeant-at-Arms be instructed to bring in all absentees within the State, and the motion was lost.

On motion of Mr. Loftin, the Sergeant-at-Arms was instructed to bring in all absentees within the city of Austin who are not ill.

The Speaker announced a quorum of the House present.

Mr. DeBerry offered the following amendment to the resolution:

Provided, that the membership be not allowed to enter the corporate limits of Dallas or Fort Worth, but that the train be stopped at the city limits and that the membership be required to walk from the source of the Trinity to the mouth to acquaint themselves with the territory affected by the stream.

The amendment was lost.

Mr. Loftin moved the previous question on the resolution and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—66.

Mr. Speaker.	Minor.
Acker.	Morse.
Bateman.	Nicholson.
Beck.	Parish of Runnels.
Bird.	Petsch.
Black.	Poage.
Brown.	Porter.
Conway.	Purl.
Cornwell.	Ramsey.
Cox.	Rawlins.
Daniel.	Renfro of Mills.
Davis.	Rogers of Hays.
Denman.	Runge.
Dunlap.	Sanders.
Durham.	Shearer.
Enderby.	Shirley.
Foster.	Smith of Nueces.
Gates.	Smith of Smith.
Gibson.	Stell.
Gilbert.	Swain.
Graves.	Taylor.
Harding.	Tillotson.
Holland.	Turner.
Hornaday.	Van Zandt.
Jones.	Walker.
King of Hopkins.	Wallace of Smith.
Kirby.	Ware.
Kirkland.	Webb.
Land.	Wells.
Lipscomb.	Williams
Loftin.	of Sabine.
Loy.	Williamson.
Masterson.	Woodall.
McGill.	Woodruff.

## Nays—34.

Albritton.	Merritt.
Alexander.	Nabors.
Avis.	Olsen.
Barron.	Pavlica.
Bass.	Pearce.
Boggs.	Powell.
Bonham.	Rogers of Shelby.
DeBerry.	Simmons.
Finlay.	Snelgrove.
Fly.	Storey.
Forbes.	Sutton.
Gray.	Veatch.
Hall.	Wallace
Johnson.	of Freestone.
Justice.	Wassell.
Kennedy.	Whitaker.
Kincaid.	Young.
Kinnear.	

## Present—Not Voting.

Williams of Travis.

## Absent.

Anderson.	Dielmann.
Boon.	Duvall.
Branch.	Eickenroht.
Cummings.	Farrar.

Faulk.	Parrish of Travis.
Fuchs.	Pool.
Hagaman.	Pope.
Harman.	Reagan.
Hefley.	Renfro
High.	of Angelina.
Hogg.	Rowell.
Holder.	Satterwhite.
Jacks.	Shaver.
Kayton.	Sheats.
Kemble.	Sinks.
Kenyon.	Smith of El Paso.
King of	Smyth.
Throckmorton.	Stevenson.
McCombs.	Stout.
McKean.	Teer.
Moursund.	Waddell.
Murphy.	Wallace of Panola.

## Absent—Excused.

Barnett.	Montgomery.
Long.	Smith of Atascosa.

## ADJOURNMENT.

On motion of Mr. Loftin, the House, at 1 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Highways and Motor Traffic: House bills Nos. 597, 609; Senate bill No. 245.  
Education: Senate bills Nos. 30, 258, 147; House bills Nos. 188, 189.

Oil, Gas and Mining: House bill No. 12.

Judiciary: House bills Nos. 578, 585, 346, 332; Senate bill No. 288.

Criminal Jurisprudence: House bills Nos. 606, 565.

The following standing committees have today filed adverse reports on bills as follows:

Privileges, Suffrage and Elections: House bill No. 309.

Agriculture: House bill No. 422.

Education: House bill No. 301.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 93, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, providing additional purposes for which corporations may be formed under the laws of Texas under what shall be known as 'Title and Trust Companies'; providing said corporations may incorporate for one or more of the purposes stated, and that no corporation incorporated under this section shall be incorporated for less than one hundred thousand dollars, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 527, A bill to be entitled "An Act to amend Article 288 of the Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, 1925, so as to make it lawful to teach the Spanish language in the elementary grades in public free schools in counties bordering on the boundary line between the United States and the Republic of Mexico having a city or cities of a population of five thousand inhabitants, or more, according to the United States census of 1920, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 534, A bill to be entitled "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Banking Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

### THIRTIETH DAY.

(Monday, February 28, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Satterwhite.

The roll was called, and the following members were present:

Acker.	Kirkland.
Alexander.	Land.
Anderson.	Lipscomb.
Avis.	Loftin.
Barnett.	Loy.
Barron.	Masterson.
Bass.	McCombs.
Beck.	McGill.
Bird.	Merritt.
Black.	Minor.
Boggs.	Montgomery.
Bonham.	Morse.
Boon.	Moursund.
Branch.	Murphy.
Brown.	Nabors.
Conway.	Nicholson.
Cornwell.	Olsen.
Cox.	Parish of Runnels.
Cummings.	Parrish of Travis.
Daniel.	Pavlica.
Davis.	Pearce.
DeBerry.	Petsch.
Denman.	Poage.
Dunlap.	Pool.
Durham.	Pope.
Duvall.	Porter.
Enderby.	Powell.
Eickenroht.	Purl.
Farrar.	Rawlins.
Faulk.	Renfro
Finlay.	of Angelina.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gates.	Rogers of Shelby.
Gibson.	Rowell.
Gilbert.	Runge.
Graves.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shearer.
Hall.	Sheats.
Harding.	Shirley.
Harman.	Simmons.
Hefley.	Sinks.
High.	Smith of Atascosa.
Hogg.	Smith of El Paso.
Holder.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Johnson.	Snelgrove.
Jones.	Stell.
Kemble.	Stevenson.
Kennedy.	Storey.
Kincaid.	Stout.
King of Hopkins.	Sutton.
King of	Swain.
Throckmorton.	Taylor.
Kinnear.	Teer.
Kirby.	Tillotson.